

REMARKS

Claims 6-17 were examined in the Office Action mailed November 16, 2007. The Applicants note with appreciation the Examiner's indication that claims 7 and 9-16 recite patentable subject matter.

The sole pending rejection is that of claims 6 and 8 under 35 U.S.C. § 102(b) as anticipated by U.S. Patent No. 6,250,272 to Rutschmann, *et al.* ("Rutschmann").

The Applicants have amended claim 6 to incorporate the limitations of its dependent claim 8. In addition, the Applicants have amended claim 7 into independent form, thereby placing this allowable claim and its dependent claims into condition for allowance.

The Applicants respectfully submit the following remarks with respect to the Rutschmann reference.

Amended claim 6 is directed to, *inter alia*, an air intake system with a distributor tube for distributing intake air and at least one resonance tube equipped with a switch valve, both located within a central intake module. A portion of a lateral surface of the resonance tube is formed by a wall of the intake module.

Rutschmann is cited as disclosing a central intake module with a distributor tube 28, 29, a resonance tube 33 and a valve 31. As a first matter, the Applicants note that the Rutschmann figures are schematic illustrations, and thus are not suitable for drawing conclusions with regard to actual component types and precise configurations. Viewed in this light, the Applicants

respectfully draw the Examiner's attention to the Rutschmann written description at 2:30-37, where the elements 28, 29 are identified not as distributor tubes, but as "resonance volumes," *i.e.*, chambers one of ordinary skill recognizes as not used to distribute air between an inlet and one or more outlets, but instead provide air pressure pulse-cancelling volumes for canceling undesired noises within the intake. Accordingly, in view of the schematic nature of the Rutschmann drawings and the express recitation in the Rutschmann description that these volumes 28, 29 are *not* distribution tubes, the Applicants submit that this feature of claim 6 is not disclosed by the Rutschmann reference.

Rutschmann's disclosure also fails to disclose or suggest the claimed resonance tube equipped with a switch valve *co-located with the distribution tube* (as illustrated, for example, in present Fig. 4). As noted above, neither resonance volume 28, 29 are the recited distribution tube, and no resonance tube equipped with a switch valve and having a portion of a lateral surface of the resonance tube formed by a wall of the intake module is co-located with volumes 28, 29. . The Applicants submit that this unique combination of features, not disclosed or suggested by Rutschmann's arrangements, is the result of the unification of the resonance and distributor pipes as integrated elements within the intake module, with the portion of the area not occupied by the resonance tube containing the switch valve to be used as the distributor pipe.

In view of the foregoing, the Applicants respectfully submit that Rutschmann does not disclose or suggest all of the features of the present invention recited in amended claim 6. Reconsideration and withdrawal of the

pending § 102 rejection of claim 6, and allowance of this claim and its respective dependent claims, is respectfully requested.

CONCLUSION

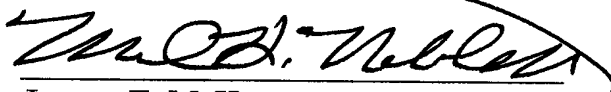
In view of the foregoing remarks, the Applicants respectfully submit that claims 6 and 7-18 are in condition for allowance. Early and favorable consideration, and issuance of a Notice of Allowance for these claims is respectfully requested.

If there are any questions regarding this amendment or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

If necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response, and please charge any deficiency in fees or credit any overpayments to Deposit Account No. 05-1323 (Docket #028987.56990US).

February 15, 2008

Respectfully submitted,



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